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October 18, 2004

Hon. Marianne B. Bowler
U.S. District Court
District of Massachusetts
US Courthouse
One Courthouse Way
Boston, MA 02210

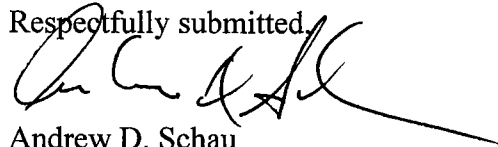
**Re: In re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL No. 1456, Civil Action: 01-CV-12257-PBS-MBB**

Dear Magistrate Judge Bowler:

Defendants submit this letter with respect to the oral argument originally scheduled for October 13, 2004 concerning third parties Aetna, Cigna and Humana's joint motion to quash defendants' motion to compel depositions. We apologize for not appearing on the date scheduled. Moreover, per the Court's suggestion, we voluntarily agreed to compensate third party counsel for the costs they incurred in appearing on the return date.

Accordingly, we respectfully request that the Court reschedule the argument for Friday, October 22, 2004, or at the Court's earliest convenience thereafter.

Respectfully submitted,



Andrew D. Schau

cc: Peter St. Phillip, Jr., Esq.